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SENATE MEMORIAL 27

49TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2010

INTRODUCED BY

Mary Kay Papen

A MEMORIAL

RECOGNIZING THE IMPORTANCE OF THE MEDICAID PROGRAM, OPPOSING
DRASTIC REDUCTIONS IN MEDICAID ELIGIBILITY AND BENEFITS AND
REQUESTING THE NEW MEXICO LEGISLATIVE COUNCIL TO CREATE A TASK
FORCE TO DEVELOP RECOMMENDATIONS TO IMPROVE THE MEDICAID
PROGRAM CONSISTENT WITH AVAILABLE RESOURCES AND FEDERAL HEALTH
CARE REFORM REQUIREMENTS.

WHEREAS, medicaid and the state coverage insurance program
currently provide vital health care services to more than five
hundred thousand New Mexicans who are children, people with
disabilities, the elderly and low-income families; and

WHEREAS, these programs provide a foundation for health
care coverage in New Mexico, a key role that will continue
should current national health care reform proposals become
law; and

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1 WHEREAS, the human services department issued a concept
2 paper on December 3, 2009 that recommends a complete
3 restructuring of medicaid and the state coverage insurance
4 program that, if implemented, would greatly reduce eligibility
5 for medicaid and the availability of medically necessary
6 services and would create barriers to obtaining access to
7 needed health care services; and

8 WHEREAS, this concept paper proposes drastic changes that
9 have not been evaluated for their impact on services to
10 currently eligible populations, costs to health care consumers
11 and providers, legal liability for the state and the health
12 care delivery system, particularly in rural areas; and

13 WHEREAS, the human services department is also developing
14 plans to convert medicaid personal care option services from a
15 state plan benefit to a waiver program that would allow the
16 department to limit enrollment and create a waiting list for
17 this program; and

18 WHEREAS, the personal care option is the only major
19 community-based long-term service program without a long
20 waiting list and currently allows more than fourteen thousand
21 people to receive care at home rather than in a nursing home;
22 and

23 WHEREAS, structural changes to medicaid that result in
24 more uninsured people in New Mexico, barriers to obtaining
25 access to medically necessary services and higher costs for

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1 state residents due to increased uncompensated care costs and
2 higher private insurance premiums should not be implemented;
3 and

4 WHEREAS, the funding levels proposed by both the executive
5 branch and the legislative finance committee for medicaid for
6 fiscal year 2011 make a radical restructuring of medicaid
7 unnecessary in the upcoming fiscal year; and

8 WHEREAS, federal health care reform legislation currently
9 under consideration by congress proposes expansions of
10 eligibility in the state medicaid program and projects
11 expansion of health care insurance coverage to currently
12 uninsured New Mexicans; and

13 WHEREAS, any approach to restructuring medicaid in New
14 Mexico should be carefully and thoroughly thought out to
15 consider innovative approaches to reform and meet the
16 requirements and take advantage of opportunities afforded by
17 federal health care and medicaid reform legislation; and

18 WHEREAS, legislative oversight and the involvement of
19 representatives of all the key stakeholders are necessary to
20 develop and evaluate effective recommendations for any
21 substantial changes to medicaid and to determine the impact on
22 consumers, providers and the system of health care delivery in
23 the state;

24 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE
25 OF NEW MEXICO that the importance of the medicaid program be

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1 recognized, that drastic reductions in medicaid eligibility and
2 benefits be opposed and that the New Mexico legislative council
3 be requested to create a task force to develop recommendations
4 to improve the medicaid program consistent with available
5 resources and federal health care reform requirements; and

6 BE IT FURTHER RESOLVED that the task force review the
7 medicaid and state coverage insurance programs and make
8 recommendations for improving these programs, including the
9 implications of proposed federal health care reform
10 legislation, current and anticipated changes to medicaid
11 eligibility and benefits, state budget needs, the needs of
12 currently eligible populations, access to and use of medical
13 services, costs to health care consumers, providers and to the
14 state and the impact on the health care delivery system
15 statewide, particularly in rural areas; and

16 BE IT FURTHER RESOLVED that the human services department
17 be requested not to proceed with significant changes to
18 medicaid or submit any waivers, state plan amendments or other
19 proposals to the federal government that would significantly
20 alter the medicaid program, including personal care option
21 services, until the recommendations of the task force are
22 considered and upon further recommendation of the New Mexico
23 legislature; and

24 BE IT FURTHER RESOLVED that the task force be composed of
25 the secretary of human services, the director of the medical

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1 assistance division of the human services department, the chair
2 and vice chair of the interim legislative health and human
3 services committee, the chair of the house health and
4 government affairs committee, the chair of the senate public
5 affairs committee, experts on health policy, community
6 advocates for medicaid recipients, health care providers or
7 their representatives and other state agency staff as
8 determined by the chair and vice chair of the interim
9 legislative health and human services committee; and

10 BE IT FURTHER RESOLVED that at least one-third of the
11 membership of the task force be composed of community advocates
12 for medicaid recipients, including advocates for the poor,
13 people with disabilities, the elderly and children; and

14 BE IT FURTHER RESOLVED that the human services department
15 be requested to provide the task force with agency staff, data
16 and reports as necessary to evaluate the effectiveness of
17 current programs and the impact of any proposals to alter
18 medicaid eligibility and benefit levels; and

19 BE IT FURTHER RESOLVED that the task force begin meeting
20 on a regular basis from July 2010 through October 2011 and that
21 a time line be set for the work plan of the task force at the
22 first meeting; and

23 BE IT FURTHER RESOLVED that the task force report its
24 preliminary findings and recommendations to the legislative
25 finance committee and the interim legislative health and human

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1 services committee in October 2010 and issue a final report of
2 its findings and recommendations in October 2011; and

3 BE IT FURTHER RESOLVED that copies of this memorial be
4 transmitted to the governor, the co-chairs of the New Mexico
5 legislative council, the secretary of human services, the
6 director of the medical assistance division of the human
7 services department, the chair and vice chair of the interim
8 legislative health and human services committee, the chair and
9 vice chair of the legislative finance committee, the chair of
10 the house health and government affairs committee and the chair
11 of the senate public affairs committee.